IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.49478-M of 2006

DATE OF DECISION:19.10.2006

Sunny @ Ganga @ Ajay Pal Singh & Anr. .....Petitioners

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri K.S. Dhillon, Advocate
for the petitioners.

Shri N.S. Gill, AAG, Punjab.

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Petitioners Sunny @ Ganga @ Ajay Pal Singh and Raja @ Harjinder Singh apprehending their arrest in a non-bailable offence in case FIR No. 140 dated 25.7.2006 under Sections 307/324/323/148/149/427 IPC, registered at Police Station City, Kapurthala, have filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

While referring to the nature of the injuries found on the bodies of Updesh and Dalip Kumar and the alleged weapon used by the petitioners in the occurrence, counsel for the petitioners contends that the injuries on the bodies of the injured have not been caused by the petitioners.

Counsel for the petitioners further contends that in view of the order dated 29.8.2006, the petitioners have joined the investigation. Counsel for the respondent-State on instructions from Lambar Singh, Head Constable does not dispute this fact and further states that the petitioners

are no more required for further interrogation.

In view of the above, the interim bail, granted vide order dated 29.8.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioners shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 19, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**